

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

NAVAJO TRANSITIONAL  
ENERGY,

Plaintiff,

vs.

BNSF RAILWAY COMPANY,

Defendant.

CV 22-146-BLG-SPW-KLD

ORDER

Upon the Plaintiff Navajo Transitional Energy Company, LLC's Notice of Dismissal with Prejudice (Doc. 57),

IT IS HEREBY ORDERED that the above-entitled cause is **DISMISSED WITH PREJUDICE**, with each party to bear their own costs and attorney's fees.

The Clerk of Court is directed to notify the parties of the making of this Order.

DATED this 20<sup>th</sup> day of November, 2023.

  
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SUSAN P. WATTERS  
U. S. DISTRICT JUDGE